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\* ALSO ADMITTED  
IN MICHIGAN

January 26, 1993

## VIA TELECOPY AND REGULAR MAIL

Douglas C. Walther, Esq.  
United States Environmental  
Protection Agency  
Region VII  
726 Minnesota Avenue  
Kansas City, KS 66101

RE: Sheller-Globe Corporation  
Keokuk Iowa Plant  
Ongoing UST Investigation  
Our File No: K325/27403

Dear Doug:

A matter has recently arisen that we believe requires some guidance and clarification by the Agency. As you may recall, United Technologies Automotive Systems, Inc., formerly known as Sheller-Globe Corporation, has for the past several years been conducting an investigation of soil/fill and groundwater contamination in the area behind its former Keokuk plant. This contamination apparently resulted from leaks in several underground solvent product storage tanks that were removed in 1989. Extensive work has been performed to date in the course of this investigation. We currently are in the process of evaluating data generated in a Phase V that we believe has at last defined the extent of contamination. Costs associated with this investigation exceeded \$200,000 in 1992 alone.

Included in this work, was an extensive soil vapor extraction ("SVE") system pilot study which was intended to identify whether SVE was an economically feasible remedial alternative. A comprehensive report detailing the results of that pilot study is nearing completion.

To date, all of this work has been conducted under the oversight of the Iowa Department of Natural Resources. ~~THIS WAS~~



R00110401  
RCRA RECORDS CENTER

Douglas C. Walther, Esq.  
January 26, 1993  
Page 2

done because of the state's traditional responsibility in the area of UST investigations/remediations. Of course, this work was fully explained to the Agency in the Current Conditions Report submitted pursuant to the RCRA §3008(h) Consent Order. Moreover, developments have been reported to the Agency routinely through the bi-monthly progress reports required by the Consent Order.

The Agency acknowledged its understanding of the ongoing UST investigation work in its comments on the draft RFI Work Plan, where it carved out that ongoing work from the scope of the Work Plan but indicated that it would like the respondents to investigate secondary source areas as part of the RFI. This has resulted in the agreement between the Agency and the respondents to put in an additional eight soil borings in the fill area to further investigate these potential source areas.

Recently, we were surprised to receive notice from Alesia Whitney-Knight at IDNR that oversight for the ongoing UST investigation was being transferred to USEPA Region VII. A copy of Ms. Whitney-Knight's letter of January 11, 1993 is enclosed. We were not advised prior to receipt of this letter that this action was being contemplated by IDNR. We do not believe that this transfer of oversight responsibility will meet the stated objective of avoiding duplication of work. Indeed, we believe that this may very well result in bogging down both the UST investigation and the contemplated RFI.

By way of explanation, we do not believe this transfer of oversight will result in avoiding duplication of work because there was little chance of that occurring under the previous arrangements. The UST investigation had been expressly carved out from the scope of the Consent Order and the RFI Work Plan. The respondents had accepted the Agency's comments with respect to further investigation of secondary source areas in the fill behind the plant. Otherwise the RFI Work Plan contemplated the UST investigation would continue to be handled pursuant to IDNR oversight.

Second, we believe that if this transfer of oversight is in fact accomplished, it will result in both the UST investigation and the RFI investigation becoming bogged down while work plans are revised and/or federal agency personnel are brought "up to speed" on this on-going project. It is at this point that we request some guidance and clarification from the Agency as to how they would expect the UST investigation would be handled. Sheller-Globe interprets the Consent Order and RFI Work Plan (which is near the final approval stage with only a few issues remaining in

Douglas C. Walther, Esq.  
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dispute between the Agency and the respondents) as not covering the UST investigation. Accordingly, either the Work Plan would have to be redrafted or the UST investigation would have to proceed with federal agency oversight but outside the scope of the Consent Order. Either alternative would be expensive and time consuming and would result in a delay of the overall schedule for RFI and/or UST investigation/remediation activities.

We would prefer that IDNR continue with its oversight role of the UST investigation as had been contemplated by USEPA, IDNR and Sheller-Globe prior to this point in time. We are more than happy to continue to advise USEPA of progress in the investigation through the Corrective Action Order bi-monthly reports and fully anticipate that USEPA would comment or otherwise become involved in the state's ultimate approval of any remedial design/remedial alternative. We would like to schedule a conference call with appropriate USEPA and IDNR personnel in the near future to discuss this request and how this matter will proceed in the future.

Very truly yours,

EASTMAN & SMITH



Joseph A. Gregg

JAG/bmm  
Enclosure

cc: Mark Landa, Esq. (IDNR, Legal) (via telecopy and regular mail)  
Ms. Alesia Whitney-Knight (IDNR)  
Mr. Brian J. Yeich  
Azuwuike H. Ndukwu, Esq.  
Mr. David Dods (Woodward-Clyde)  
Judy G. Hershon, Esq.

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**FAX TRANSMISSION SHEET**

**DATE:** January 26, 1993

**FILE NO:** K325/27403

**NUMBER OF PAGES:** (Including This Sheet)

**TO:** Douglas C. Walther, Esq.

**FROM:** Joseph A. Gregg, Esq.

**MESSAGE:**

**TELECOPY NUMBER:** 913-551-7064

**IN CASE OF PROBLEM, CALL (419) 247-1788.**

☐ If checked, please confirm receipt of document.

**Date & time sent** \_\_\_\_\_ **Sender's Initials** \_\_\_\_\_

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Douglas C. Walther, Esq.  
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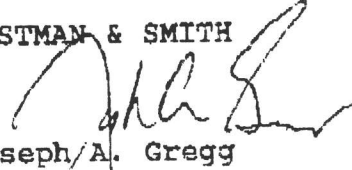
Douglas C. Walther, Esq.  
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Mr. Brian J. Yeich  
Azuwuike H. Ndukwu, Esq.  
Mr. David Dods (Woodward-Clyde)  
Judy G. Herschen, Esq.





TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

LARRY J. WILSON, DIRECTOR

RECEIVED

JAN 18 1993

REMEDIATION GROUP

January 11, 1993

Mr. Brian Yeich  
 United Technologies Automotive S  
 United Technologies Building M-S  
 Hartford, Connecticut 06101

Re: Transferral of the Sheller-  
 to EPA Region VII

Post-it brand fax transmittal memo 7671		# of pages = 5
To: Joe. Gregg	From: Brian Yeich	
Co: Eastman & Smith	Co: UTC	
Dept:	Phone:	
Fax:	Fax:	

Dear Mr. Yeich:

This letter is to inform you that the oversight of the Sheller-Globe Keokuk site has been transferred to EPA Region VII in Kansas City, Kansas. This transfer is to prevent any future duplication of work required by the Iowa Department of Natural Resources and the EPA RCRA Branch.

If you have any questions regarding the department's decision to transfer the site, please do not hesitate to contact me at (515)242-5084.

This transfer of oversight does not apply to the investigation of the area for the fuel oil UST.

Sincerely,

*Alesia Whitney-Knight*

Alesia Whitney-Knight  
 Environmental Specialist  
 Solid Waste Section

cc: Mr. Harold Gibson  
 Schlegel Corporation  
 P.O. Box 23197  
 Rochester, New York 14692

Mr. Pete Culver  
 EPA Region VII  
 Superfund Branch  
 726 Minnesota Ave.  
 Kansas City, Kansas 66101

Allan Goldberg, Field Office 6